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*Constitution
of the
United States of Europe*



Draft

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Preamble

We, the people of Europe, inspired by the obligation to overcome the conflicts of the past and by the will,

- to complete the unity that has begun,
- to secure peace within,
- to ensure the external defence,
- to preserve the natural bases of life,
- to preserve the freedom of the individual and the community,
- to realize justice and
- to promote the common good,

establish the United States of Europe as a Federal Republic and enact the following Constitution for this Federation.

Article 1 - Rights

The dignity of every human being is inviolable. The following rights are granted:

- Freedom,
- Integrity of body and life,
- Participation in political life,
- Privacy.

All citizens are equal to the law.

The rights of an individual end at the rights of the other. The naming of certain rights must not be interpreted in the way that not mentioned rights are not granted. Rights may only be restricted by law and only if the restriction serves the nature or the public welfare and the legal reason for it outweighs the right of the individual.

Citizens of each member state of the Federation shall enjoy all the privileges and freedoms of the citizens of other states.

Every citizen has the right to submit petitions which must be decided on in appropriate time.

There is a right to property. Ownership may only be withdrawn for important reason and with appropriate compensation. Property is also committed to nature and the public welfare.

The right of the person, the home and the property against arbitrary searches must be guaranteed. House search and arrest warrants may only be issued by the competent judges and must specify the location to be searched and the person to be detained.

No bill may be passed which contains a conviction without trial or a penal law with retroactive effect. No one shall be held responsible for a serious crime without indictment and due process of law. No one may be punished twice for the same act. No one may be forced to testify against himself or his related.

The right of an arrested person to a judicial warrant of arrest within three days may not be suspended unless public security requires it in the event of an insurrection or an invasion.

Deposits, fines and penalties must be appropriate and must not be unusual or cruel. Any form of torture is prohibited.

Article 2 - Fundamentals

The state is committed to objectivity and neutrality in the spirit of enlightenment and scientific cognitive power. All state authority serves the objectives of the preamble and the preservation of civil and human rights.

All legislative, executive and judicial power comes from the people and, apart from referendums, is handed over to parliament, senate, executive council and judiciary.

This Constitution and the subsequent laws to be enacted are the supreme law of the Federation. All judges in any member state are bound by it, notwithstanding any conflicting regulations in federal or state law.

In all matters concerning the Federation, the laws of the Federation shall prevail over the laws of the member states.

Each member state of the Federation is entitled to maintain a National Guard with a maximum strength, including a reserve, of half a percent of its population. The National Guard shall be placed under the authority of the Executive Council of the Federation upon request. The request may only be made in the event of war, defence or catastrophic events. The request must be confirmed by Parliament and Senate and must be renewed every three months.

The organization of external relations and external defence is in the sole responsibility of the Federation.

Within the framework of this Constitution and taking into account the prerogative of the concerns of the Federation, the member states have the right of self-government.

Judiciary is subject only to the law. Their independence must be preserved. Influences, in particular also by other institutions of the Federation or by member states, are prohibited. Misuse and inflection of justice must be punished.

The state is obliged to use all resources entrusted to it economically and responsibly. Administrative systems must be efficient and undisputed waste of any kind must be punished. Taxes may only be levied to the extent absolutely necessary for the performance of state duties. Civil servants and employees of the state must not be in a much better position on average than the average population.

The introduction of a state religion and restrictions on freedom of opinion and freedom of the press are prohibited. The people have the right to assemble peacefully.

Amendments to the Constitution require a two-thirds majority of the members of Parliament and the Senate or a two-thirds majority of a referendum, as well as the approval of the Executive Council.

The Parliament, the Senate, the Executive Council and the judiciary are obliged to ensure that all organs and representatives of the Federation act for the benefit of the Federation and its citizens and do not act in their own interest or in the interest of other institutions or foreign citizens or states.

Article 3 - Laws

Laws may be passed on all matters concerning the Federation and its citizens. All laws must be defined uniformly for the entire territory of the Federation.

Legislation is based on Parliament, Senate, Executive Council or Referendum. Proposals by Parliament, the Senate and the Executive Council are enacted with the consent of the majority of both Parliament and Senate.

Referendums can be initiated with the support of at least one million of the Federation's eligible voters. They shall be deemed accepted with the consent of a majority of the valid votes and a participation of at least twenty percent of the eligible voters of the Federation. Referendums in the form of bills have immediate legal force. All other Referendums must be transposed into a law within six months by Parliament and Senate as accurately as possible to reflect the will of the people.

Article 4 - Parliament

The Parliament, as the first chamber of the Federation, consists of delegates who are directly elected by the people every four years in the member states. All citizens of the Federation who have reached the age of 18 on election day are eligible to vote. Candidates must be at least 21 years of age and have been citizens of the Federation for 12 years.

The mandates of members of parliament are distributed among the member states in proportion to their number of inhabitants. The member state with the highest population shall have two mandates for every four million inhabitants or part thereof, but not more than eighty in total. All other member states shall have mandates in proportion of their population to that of the state with the most inhabitants, always rounded up to the nearest even number. Each member state thus has a minimum of two and a maximum of eighty mandates.

The electoral districts should have approximately the same number of inhabitants within a member state. Two mandates are assigned to each electoral district. Accordingly, each eligible voter has two votes. With the first vote, one candidate is directly elected for each electoral district. If no candidate has received the absolute majority of the first votes, a second runoff between the two candidates with the most votes shall be held in the electoral district within four weeks. If seats become vacant for directly elected representatives, by-elections shall be held in the relevant electoral district. Parties are elected with the second vote. Their candidates, from the party's lists published before the election, receive the available mandates in proportion to the votes allocated to the party. If seats become vacant of members of parliament who have been allocated via the party lists, the next on the list move up.

Parliament shall constitute a quorum when more than half of its members are present. Each member has one vote. Members of parliament are only subject to the Constitution and their conscience when voting.

Article 5 - Senate

The Senate, as the second chamber of the Federation, consists of two representatives of each individual state. These senators are elected by the legislative assembly of each member state for six years. Only those can become senators who have reached the age of thirty, have been citizens of the Federation for fifteen years and have been living in the state for ten years in which they run for.

In the meeting following the first election, the Senate shall be divided as evenly as possible into three groups by drawing lots. The senators of the first group shall resign after two years, those of the second group after four years

and those of the third group after six years, so that one third shall be re-elected every second year. However, both senators of a state should not belong to the same group. If a seat of a member state becomes vacant prematurely, it must be filled by a surrogate determined by the legislative assembly until the next regular election of the Senate. When new states join the Federation, their senators are to be assigned by lot to the three groups in such a way that the groups are of equal size.

The Senate has a quorum if more than half of its members are present. Each senator has one vote. Senators are only subject to the Constitution and their conscience when voting.

Article 6 - Executive Council

The Executive Council is the executive authority of the Federation. The Executive Council consists of six persons elected for a five-year term of office. Persons who have been citizens of the Federation for at least twenty years, have reached the age of thirty and have resided in the territory of the Federation for at least fifteen years may be elected to the Executive Council. Each person may serve a maximum of two terms on the Executive Board.

The Executive Council takes its decisions by vote, with each member of the Executive Board having one vote but the President having two. If an agreement cannot be reached on an important issue, any voting member of the Executive Council may request that the Senate discusses and decides the issue. If the Senate does not come to a decision within six weeks, the issue will be treated again by the Executive Council and its president decides alone.

Parliament and Senate each appoint a representative to the Executive Council. These representatives shall have an appropriate right to speak on the Executive Council, but shall not have the right to vote.

The Executive Council is directly elected by the people every five years. Candidates are those who have the support of at least twenty mayors of towns and municipalities in the Federation which have at least ten thousand inhabitants. The six candidates having the highest number of votes are elected to the Executive Council. The candidate with the most votes shall be the President of the Executive Council.

In the case of the removal from office of a member of the Executive Board or his death, resignation or permanent inability to exercise the powers and duties of his office, Parliament shall appoint a surrogate to the Executive Council until the next term of office of the Executive Council. However, if two or more members of the Executive Council resign during a period of office, new elections have to be scheduled.

The Executive Council is the head superior and chief of the entire executive power and has the right, except in cases of official indictment, to grant reprieve and pardon in special and individual cases.

The Executive Council is Commander-in-Chief of the Armed Forces of the Federation and, if necessary, of the National Guards of the member states. In the event of war or defence, the President of the Executive Council is the sole Commander-in-Chief of the armed forces and the requested National Guards.

The Executive Council has the right to enact decrees with legal force on all issues on which no law has yet been passed by Parliament and Senate. With the entry into force of laws on a subject, the decrees lose their effect.

The Executive Council has the right to conclude international treaties, provided that Parliament approves them by a majority of its members. It nominates and appoints, on the advice and with the consent of the Senate, ambassadors, envoys and consuls and all other officers of the Federation whose appointment is not otherwise regulated and whose offices are created by law.

The Executive Council is obliged to defend the territory of the Federation and may take all necessary measures to avert imminent danger. Declarations of war require the approval of two thirds of the members of the Parliament and the majority of the members of the Senate.

The Executive Council is obliged to control and regulate immigration for the good of the Federation. In particular, no one who is presumed to pose a threat to the Federation shall be allowed residence or permanent stay in the territory of the Federation.

The Executive Council shall report on the state of the Federation at least once a year to Parliament and Senate and recommend measures for debate which it deems necessary and useful. It must ensure that the laws are conscientiously enforced.

Members of the Executive Council enjoy immunity from prosecution, which may be waived by a majority of the members of both chambers. The chairman of the Supreme Court shall preside over any indictments against members of the Executive Council. A verdict of guilty requires a majority of the members of Parliament and a two-thirds majority of the members of the Senate.

Members of the Executive Council, other members of the Government and all officers of the Federation shall be removed from office if they have been indicted and found guilty of treason, bribery, corruption or other crimes and offences.

Article 7 - Judiciary

The judicial power of the Federation is in the hands of the Supreme Court and with such lower courts established by law.

The Supreme Court shall consist of nine judges appointed for a term of twelve years each. Supreme judges must be appointed by the Executive Council and confirmed by the Parliament. The Chairman of the Supreme Court is determined by the Senate.

The judges of all courts should receive an appropriate remuneration for their services and remain in office as long as their administration is flawless.

The judicial power shall extend to all law arising from this Constitution, the laws of the Federation and the treaties concluded or to be concluded subsequently.

In all matters relating to the Constitution, in particular those affecting the constitutionally guaranteed rights, the Supreme Court shall be the final instance, unless the matter has already been determined by an earlier decision.

Article 8 - Procedural Rules

Each chamber is responsible for checking the votes and the results of the votes. The presence of a majority of members in each chamber is required to constitute a quorum. However, a smaller number of persons present may adjourn the meeting from one day to the next and may be authorised to force the appearance of absent members in the manner provided for by each chamber and with the corresponding threat of punishment. Each chamber shall elect a chairman and other bodies from among its members, keep a continuous record of the proceedings and may adopt its own rules of procedure.

Neither chamber may adjourn during the term of office without the consent of the other for more than three days or at a place other than the designated meeting place.

Each chamber shall have the sole right to decide on all impeachments against one of its members. When it meets for this purpose, the Members of Parliament or Senators shall be under oath or affidavit. A verdict of guilty must be approved by at least two-thirds of the members of the responsible chamber and may not exceed the denial of the members' competence to hold or perform an office in the service of the Federation. The person found guilty is nevertheless subject to regular criminal prosecution.

Members of Parliament and senators shall enjoy immunity from prosecution, which may be waived by the majority of the chamber to which they belong. No member of Parliament or senator shall be held accountable for his speeches or statements to any of the houses. No member of Parliament or senator shall hold any office in the service of the Federation during the period for which he has been appointed.

Members of the Executive Council, members of Parliament and senators receive an appropriate remuneration for their services. This remuneration may not be increased or reduced during the period for which they are elected, nor may they receive any other income from the Federation or any of the member states during this period.

The members of the Executive Council, the members of Parliament, the senators, the members of the legislative bodies of the member states and all officials of the Federation and of the member states shall take the following oath

of office on the Constitution: "I solemnly swear that I will faithfully execute the office entrusted to me and will preserve, protect and defend the United States of Europe and its Constitution to the best of my ability against all external and internal enemies".

Parliament and Senate have the right to conduct their own investigations on all matters concerning the Federation. In all investigations concerning the existence, security or stability of the Federation, they shall have the right, through committees, to inspect all documents of the intelligence and the law enforcement agencies and to enforce sworn statements. The confidentiality of the information obtained shall be maintained, unless disclosure is absolutely necessary for the security of the Federation.

The Armed Forces can be used internally in catastrophic events. The deployment of the Armed Forces to maintain internal order and security must be ordered directly by the Executive Council and approved by the Parliament with two-thirds of the members and by the Senate with a majority of the members. This permission must be renewed every three months. The operation shall be terminated immediately after restoration of internal order and security.

Officials and employees of the Federation and of the member states shall not be granted any special rights or preference over other candidates in applications for office on the Executive Council or mandates for Parliament or the Senate or in the event of resignation from the mandate. In particular, there must be no right to return to the previous function after the end of the mandate.

Article 9 - European Union

Any state which was a member of the European Union on January 1st 2018 shall have in its entirety the right to join the United States of Europe, provided that it fully approves this Constitution. If a member state of the European Union in its entirety does not join the Federation, any coherent region of that member state of the European Union may join the Federation as a separate state if that region either has at least one million inhabitants or is geographically independent and has at least three hundred thousand inhabitants.

Withdrawal of a member state of the United States of Europe is not possible.

Upon the accession of a member state of the European Union or the region of a member state of the European Union to the Federation, all rights in and to the institutions of the European Union shall be exercised by the Executive Council of the United States of Europe, the other members of the government and their representatives.

The United States of Europe are the goal and completion of the political unity of Europe. In the period leading up to the final merger with the institutions of the European Union, the United States of Europe will work towards this goal in peaceful and cooperative coexistence.

States which were not members of the European Union on 1.1.2018 may be admitted to the Federation with the consent of the Executive Council and both chambers.

No new state may be established within the jurisdiction of one or more states of the Federation without the consent of their legislative assemblies and without the consent of the Federation.

The Federation guarantees each member state a republican form of government or that which it has when it joins the Federation, provided that it is democratic.

Article 10 - Reminder

All force and power of the United States of Europe comes from the people and is only conferred to the state institutions.

All state authority serves the objectives of the preamble and the preservation of the rights granted.

The people have the right and the duty to fight despots and to remove them from office if they abuse their power contrary to the constitutional order, provided that this removal from office does not occur through the competent constitutional bodies.

Conscious that all living beings share this single world, and recognizing that it is the spirit that brings life, this Constitution is to be understood and applied

by all conscious beings in benevolent responsibility towards freedom, equality, fraternity and the preservation of the natural bases of life.

Symbols

Flag: European flag with star in the middle

Sign: Closed hand with thumb up

Slogan: One Europe!

Anthem: 5th symphony of Beethoven